

McDONALD • CARANO • WILSON LLP
1100 WEST SAHARA AVENUE, SUITE 1000 • LAS VEGAS, NEVADA
PHONE (702) 873-4100 • FAX (702) 873-5966

MATTHEW C. ADDISON, ESQ.
Nevada Bar No. 4201
AMANDA C. YEN, ESQ.
Nevada Bar No. 9726
McDONALD CARANO WILSON LLP
2300 West Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
Telephone: (702) 873-4100
Facsimile: (702) 873-9966
maddison@mcdonaldcarano.com
ayen@mcdonaldcarano.com

Attorneys for Plaintiff GENFOOT INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

GENFOOT INC., a Canadian corporation,
Plaintiff

CASE NO.: 2:11-cv-01763-GMN-GWF

vs.

**CONSENT JUDGMENT AND
PERMANENT INJUNCTION**

ATSCO FOOTWEAR INC., a Massachusetts
corporation; and, ATSCO FOOTWEAR LLC,
a Massachusetts limited liability company,
Defendants.

Plaintiff GENFOOT INC. ("Plaintiff") and defendants ATSCO FOOTWEAR INC. and ATSCO FOOTWEAR LLC, (collectively "Defendants"), having settled this action by Agreement and Release on the terms and conditions stated therein, and having requested entry by their signatures below of this Consent Judgment and Permanent Injunction, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. This is an action for patent infringement in connection with U.S. Patent No. 6,237,252 (the "252 Patent"). Plaintiff alleges that Defendants infringed said '252 Patent by their sale of certain infringing products, which utilize a closure device (the "Atsco Closure"), referenced in the Complaint (dkt. 1) and identified more specifically in the Agreement and Release, which embodies each element of at least one of the claims of the '252 Patent.

MCDONALD • CARANO • WILSON LLP
2200 WEST SAHARA AVENUE, SUITE 1000 • LAS VEGAS, NEVADA
PHONE (702) 873-4100 • FAX (702) 873-9966

1 2. For purposes of this action only, Defendants admit that subject matter jurisdiction
2 exists and that personal jurisdiction lies over it. Defendants waive any objections regarding
3 sufficiency of process or the sufficiency of service of process in this action.

4 3. Defendants admit that they sold certain products that infringed the '252 Patent.

5 4. Defendants, and their officers, agents, servants and employees, and all persons in
6 active concert or participation with it, during the life of the '252 Patent, are hereby permanently
7 enjoined from (i) making, selling, or offering for sale the Atsco Closure or otherwise infringing
8 the '252 Patent; (ii) assisting, aiding or abetting any other person or entity in the sale or offer for
9 sale of the Atsco Closure or otherwise infringing the '252 Patent.

10 5. By agreement of the parties, no other relief, monetary or otherwise, is requested
11 or granted, and there is no award of costs or attorneys' fees. There being no just reason for
12 delay, the entry of this consent judgment by the United States District Court constitutes entry of
13 final judgment in this action.

14 6. The Court shall retain jurisdiction to enforce this Consent Judgment and
15 Permanent Injunction. If Defendants shall be alleged to have breached the terms of this Consent
16 Judgment and Permanent Injunction, Plaintiff shall have the right to reopen this matter upon
17 motion filed and heard on an expedited basis.

18 ...

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

1 The individuals executing this Judgment represent or confirm that they are duly
2 authorized to do so, and are similarly authorized to bind each of the signatories to this Judgment.

3
4 CONSENTED TO:

5
6 DATED: 5/18/12

7 McDONALD CARANO WILSON LLP

8
9 By: 

10 MATTHEW C. ADDISON (#4201)

11 AMANDA C. YEN (#9726)

12 2300 West Sahara Avenue, Suite 1000

13 Las Vegas, Nevada 89102

14 *Attorneys for Plaintiff*

15
16 Approved as to form and content:

17 DATED: _____

18 ATSCO FOOTWEAR INC.

19 ATSCO FOOTWEAR LLC

20 By: 

21 Title: CEO

22 DATED: 5/27/12

23
24 DATED this 18th day of May, 2012.

25
26 
27 Gloria M. Navarro
28 United States District Judge

McDONALD • CARANO • WILSON LLP
2300 WEST SAHARA AVENUE, SUITE 1000 • LAS VEGAS, NEVADA
PHONE (702) 873-4100 • FAX (702) 873-4966